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UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF NEW JERSEY

IN RE:	:CHAPTER 13 BANKRUPTCY
	:CASE NO.: 11-41413-MBK
Carmen Lawrence Aiello and	:
Madeline Marion Aiello,	:Judge: Michael B. Kaplan, U.S.B.J.
	:
Debtor(s)	:Hearing Date: August 27, 2013 @ 9:30

OBJECTION TO CONFIRMATION

Barry W. Frost, Chapter 7 Trustee, by and through his attorneys, Teich Groh, hereby objects to the confirmation of the modified plan filed by the Debtors on June 25, 2013, on the following grounds:

1. The Plan does not provide for payment of 100% to general unsecured creditors. The Debtors sought to re-convert to a Chapter 13 because the Chapter 7 Trustee was seeking to sell their interest in unencumbered commercial real estate. It was anticipated that there would be more than enough money to pay creditors 100% of their claims.
2. The Plan is not proposed in good faith. As explained above, it should provide for 100% to unsecured creditors. Instead, it provides for a *pro rata* distribution.
3. The order allowing re-conversion also directed that a *lis pendens* be filed on the real property located at 2338 Route 4, Fort Lee, New Jersey 07024. The Plan should not be confirmed unless and until the *lis pendens* is recorded on the property.

For all of the above reasons, the undersigned, on behalf of the Chapter 7 Trustee, **Barry W. Frost**, urges the court to deny confirmation of the Debtors' Chapter 13 plan and to re-convert this matter to a Chapter 7 proceeding.

TEICH GROH
Attorneys for Chapter 7 Trustee,
Barry W. Frost

Dated: July 1, 2013

By: *Carol L. Knowlton*
Carol L. Knowlton